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SUBJECT: GOP CABINET APPROVES DRAFT HUMAN RIGHTS COMMISSION
LEGISLATION

¶1. (SBU) Summary: The Pakistani cabinet (of the Government of Pakistan (GOP)) approved a draft bill establishing a National Commission on Human Rights (NCHR) and reversing the Musharraf administration's amendments to the Legal Practitioners Act, which drastically curtailed Bar Council authorities' disciplinary powers relating to lawyers. The draft legislation and the NCHR would also fulfill the GOP's obligations under an UNGA resolution calling for the establishment of an independent human rights body. The NCHR would advise legislators on human rights laws, establish human rights courts, and order inquiries into allegations of human rights violations. End summary.

¶2. (U) On October 15, Pakistan's federal cabinet approved a draft bill establishing an independent human rights commission. This bill would also reverse the amendments to the 1973 Legal Practitioners Act, imposed by former President Musharraf during the 2007 state of emergency.

¶3. (U) Media report the GOP will constitute a National Commission on Human Rights (NCHR) in response to an UNGA resolution requiring the establishment of independent human rights bodies. The NCHR will reportedly be headed by a serving or retired judge of the Supreme Court or high court, will consist of members of the four provinces, and will include four women and four minority members from each province.

¶4. (U) If ratified, the bill would allow the NCHR to review legislation addressing human rights and suggest changes, allow every citizen the right to register a complaint of a human rights violation with the commission, allow commission members to inspect jails, and establish human rights courts in all provinces.

¶5. (SBU) According to Sakhwat Gul, Section Officer within the Human Rights Wing of the Ministry of Law, the NCHR will also act in an advisory capacity on any legislation addressing human rights. Further, it would visit jails, order inquiries into allegations of human rights violations, work with the National Assembly's and Senate's standing committees on human rights, and coordinate with civil society organizations monitoring Pakistan's human rights situation.

¶6. (U) Local media report the draft bill will also restore the Legal Practitioners Act of 1973 to its original position. The GOP is taking this action through an ordinance, in lieu of the more cumbersome and formal full legislative process, to avoid prolonging the matter of restoration of the Legal Practitioners' Act.

¶7. (SBU) Comment: If approved, creation of a human rights commission will be a welcome step. To be effective and

independent, however, it will need independent funding to pay
for staff.
FEIERSTEIN